REMARKS

The Office Action dated March 31, 2008 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

The courtesies extended to Applicants' representative by Examiner at the interview held June 3, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Claims 1, 5, 7-12, 14, 15, 19, 21-26, 30, 32-37, 39-41, 45, 47-51, 55, and 57-60 are now pending in this application. Claims 1, 3-5, 7-12, 14, 15, 17-19, 21-26, 28-30, 32-37, 39-41, 43-45, 47-51, 53-55, and 57-60 stand rejected. Claims 4, 8, 29, 44, and 54 have been canceled.

Claims 1, 15, 26, 40, 41 and 51 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Applicants respectfully traverse this rejection.

In particular, the Examiner alleges that feature of "determining an ability of the respective delivery agent to ship the order based on . . . a number of slots to be shipped, the number of slots calculated from a work unit matrix" does not have adequate support within the specification. Applicants respectfully disagree.

Applicants submit that Claims 1, 15, 26, 40, 41, and 51 are amended to more clearly define the above feature. Further, support for a method of calculating a number of slots available for shipping an order and for calculating the number of slots needed for shipping an order may be found in the original specification at, for example, paragraphs [0025]-[0029].

As such, withdrawal of the rejection of Claims 1, 15, 26, 40, 41, and 51 under 35 U.S.C. § 112, first paragraph, is respectfully requested.

Further, Claims 1, 15, 26, 40, 41, and 51 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants respectfully traverse this rejection.

In particular, the Examiner alleges that the feature of "determining an ability of the respective delivery agent to ship the order based on . . . a number of slots to be shipped, the number of slots calculated from a work unit matrix" is indefinite. Applicants respectfully disagree.

As mentioned above, Claims 1, 15, 26, 40, 41, and 51 are amended to more clearly define the above feature. Further, support for a work unit matrix may be found in the original specification at, for example, paragraph [0029].

As such, withdrawal of the rejection of Claims 1, 15, 26, 40, 41, and 51 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claims 1, 4, 5, 7-12, 14, 15, 18, 19, 21-26, 29, 30, 32-37, 39-41, 44, 45, 47-51, 54, 55, and 57-60 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over International Publication No. WO 01/13261 to Juedes, et al. (hereinafter referred to as "Juedes") in view of U.S. Patent 6,963,847 to Kennedy, et al. (hereinafter referred to as "Kennedy"), U.S. Patent 6,876,977 to Marks (hereinafter referred to as "Marks"), U.S. Patent 5,963,915 to Kirsch (hereinafter referred to as "Kirsch"), and U.S. Publication No. 2007-0162353 to Borders, et al. (hereinafter referred to as "Borders") is respectfully traversed.

Juedes describes a system (100) for fulfilling orders placed by a customer (104) from the provider (106) of a product over the Internet (102). Once the customer has placed an order, the provider sends the order information to an e-commerce hub (112) which arranges for the product's transportation and delivery. The e-commerce hub software automatically selects, based on the order information and predetermined stored criteria, which of a plurality of predetermined carriers should be used to transport the product from the provider to the customer. A request for shipping the product is then sent from the e-commerce hub to the selected carrier. If the request for shipping is accepted by the carrier, a notification of shipment is sent from the e-commerce hub to either the provider or the customer, or both.

Juedes also describes an order timeline feasibility study module of the e-commerce hub that determines whether the transportation of the product and/or the delivery of the product to the customer from the provider is possible within the time period defined by the pickup date and the delivery date. If the transportation and delivery are found to be infeasible, the order for shipment is rejected by the e-commerce hub. Notably, Juedes does not describe or suggest, determining an ability of a delivery agent to ship an order based on a first potential arrival date and determining a number of slots to be shipped, wherein the number of slots is calculated from a work unit matrix.

Kennedy describes a system (10) for fulfilling commitments in a distributed supply chain planning environment. The system (10) includes a fulfillment server (16) that manages available-to-promise (ATP) data. The fulfillment server (16) receives an ATP request (30) from one of multiple clients (12). The ATP request (30) includes multiple request line-items that each correspond to a desired product. The fulfillment server (16) generates one or more component ATP requests (32) based on the request line-items and communicates the component ATP requests (32) to one or more local fulfillment managers (14). In response, the fulfillment server (16) receives component quotations (34) from the local fulfillment managers (14). Each component quotation (34) corresponds to an individual component ATP request (32), and includes product availability information for the corresponding desired product. The fulfillment server (16) generates a quotation (36) that includes product availability information for all desired products according to the component quotations (34), and communicates the quotation (36) to the client (12). Notably, Kennedy does not describe or suggest determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order.

Marks describes a computer-implemented method for conducting business-to-business electronic commerce over the Internet, including providing a website that enables electronic communication with users using an electronic shopping basket and enabling two or more remote users to simultaneously access the shopping basket. Each user is permitted to

simultaneously view the status of the shopping basket and sequentially affect the state of the shopping basket. The users' ability to affect the state of the basket includes providing the users with selected levels of access to the basket. Any change of state of the basket is automatically sent to all users by a display of the shopping basket on the website. Notably, Marks does not describe or suggest, determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order.

Kirsch describes an Internet computer system (10) including a conventional computer system (12) that runs a client browser and is connected to the Internet (14) through an Internet Service Provider (ISP). A server computer system (16), also connected to the Internet through an ISP and controlled by a local console (18), executes a Web Server application. The client and server computers are configured to allow a consumer to purchase items via a secure web page presented by the server. The consumer's client browser is provided with a cookie containing security information that is checked against the server record of the client. Additional levels of authentication and security may be added on the server and include usage of an optional PIN, restrictions on shipping destinations, and email confirmation of orders. These levels are also limited to a server process specific to the acceptance phase of the purchase process. Notably, Kirsch does not describe or suggest, determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order.

Borders describes a technique for effecting electronic commerce using a data network is described. The network described in Borders includes a plurality of subsystems which, together, form an integrated system for receiving customer orders for selected items via a data network, fulfilling the customer orders, and delivering the ordered products to the customers. The integrated nature of the system architecture described in Borders allows the on-line merchant to provide a guarantee to the customer that the ordered items will be

available to be delivered to the customer at the specified delivery date, time, and location. Notably, Borders does not describe or suggest, determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order.

Claim 1 recites a method of managing a delivery schedule of an order using a system configured with a server which includes a goods delivery system. The system includes at least one computing unit networked to the server, and the order is delivered from at least one supplier to a respective delivery agent, and from the respective delivery agent to a respective buyer, wherein the order includes order information. The method comprises the steps of "(1) calculating a first potential arrival date of the order to a respective delivery agent's location using the server system based on an order request date, a respective buyer's address, and a fixed delay; (2) determining a number of delivery slots needed for the order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order; (3) determining an ability of the respective delivery agent to ship the order based on the first potential arrival date and the number of delivery slots; (4) determining a delivery date to the respective buyer when there is sufficient delivery agent capacity to ship the order to the respective buyer's address; (5) updating an electronic manifest indicating the delivery date of the order and/or a change in delivery agent capacity for the delivery date; and (6) determining whether an order change that affects the delivery date of the order has been requested, wherein the request is made by a user that is authorized by one of the respective delivery agent, the respective buyer, the at least one supplier, a store, or a logistics intermediary, wherein allowance of the order change is based on: (a) a type of order change, (b) whether the user is acting as the respective delivery agent, the respective buyer, the at least one supplier, the store, or the logistics intermediary, (c) a level of the user, and (d) a security code, wherein, upon allowance of the order change, steps (1), (2), (3), (4), and (5) are repeated to determine a new delivery date."

None of Juedes, Kennedy, Marks, Kirsch, and Borders considered alone or in combination, describes nor suggests a method of managing a delivery schedule, as recited in Claim 1. More specifically, none of Juedes, Kennedy, Marks, Kirsch, and Borders considered alone or in combination, describes nor suggests determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order. The Examiner concedes that none of Juedes, Kennedy, Marks or Kirsch describes nor suggests the above feature and relies on Borders as allegedly disclosing this feature. Applicants respectfully disagree.

Borders merely discloses a transportation subsystem that generates a list of available delivery windows based upon transportation capacity data such as, for example, the number of couriers available, the number of delivery vehicles available, the numbers of orders for a particular day, truck routs, etc. As agreed upon during the interview, nowhere does Borders describe or suggest a method of determining a number of delivery slots needed for an order by multiplying each item in the order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order. In fact, nowhere does Borders even mention a method of determining a number of slots available for delivery or determining the number of slots needed for an order.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Claim 4 has been canceled. Claims 5, 7-12, and 14 depend from independent Claim 1. When the recitations of Claims 5, 7-12, and 14 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5, 7-12, and 14 likewise are patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Similar to Claim 1, independent Claims 15, 26, 40, 41, and 51 recite the feature of "determining a number of delivery slots needed for an order by multiplying each item in the

order by a work unit selected from a work unit matrix, wherein each work unit in the work unit matrix is a multiplication factor of a size and a degree of difficulty of installation associated with each item in the order." Therefore, for at least the same reasons discussed above with respect to Claim 1, Claims 15, 26, 40, 41, and 51 are submitted to be patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Claim 18 has been canceled. Claims 19 and 21-25 depend from independent Claim 15. When the recitations of Claims 19 and 21-25 are considered in combination with the recitations of Claim 15, Applicants submit that dependent Claims 19 and 21-25 likewise are patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Claim 29 has been canceled. Claims 30, 32-37, and 39 depend from independent Claim 26. When the recitations of Claims 30, 32-37, and 39 are considered in combination with the recitations of Claim 26, Applicants submit that dependent Claims 30, 32-37, and 39 likewise are patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Claim 44 has been canceled. Claims 45 and 47-50 depend from independent Claim 41. When the recitations of Claims 45 and 47-50 are considered in combination with the recitations of Claim 41, Applicants submit that dependent Claims 45 and 47-50 likewise are patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

Claim 54 has been canceled. Claims 55 and 57-60 depend from independent Claim 51. When the recitations of Claims 55 and 57-60 are considered in combination with the recitations of Claim 51, Applicants submit that dependent Claims 55 and 57-60 likewise are patentable over Juedes in view of Kennedy, Marks, Kirsch, and Borders.

For at least the reasons set forth above, Applicants respectfully request the rejection of Claims 1, 5, 7-12, 14, 15, 19, 21-26, 30, 32-37, 39-41, 45, 47-51, 55, and 57-60 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

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